UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA,

Plaintiff,

-against-

ONE HUNDRED EIGHTY-NINE
THOUSAND, FIVE HUNDRED
TWENTY-NIINE DOLLARS AND
THIRTHY THREE CENTS ($189,529.33)
IN UNITED STATES CURRENCY, MORE
OR LESS, SEIZED FROM
CAPITAL ONE BANK ACCOUNT
NUMBER ENDING IN -8639 HELD IN THE
NAME OF J&A MASTIC SEAFOOD, INC.;

Defendant In Rem.
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DECREE OF FORFEITURE
AND ORDER FOR DELIVERY

(CV-13-2106)(JFB)(AKT)

WHEREAS, on or about November 13, 2012, the Honorable Arlene R. Lindsay,

United States Magistrate Judge for the Eastern District of New York, issued a warrant for the arrest

of articles *in rem* (the "Warrant") authorizing the seizure of defendant currency up to and including

the amount of four hundred thirty-four thousand nine hundred dollars and no cents ($434,900.00)

on deposit at Capital One Bank, account number 2024008639 ("Account ending 8639"), in the

name of J&A Seafood, Inc., ("J&A"), and all proceeds traceable thereto; (the "Defendant Funds");

finding probable cause to believe that such funds are subject to forfeiture to the United States

pursuant to 31 U.S.C. § 5317 as property involved in violations of 31 U.S.C. § 5324.

WHEREAS, on or about November 15, 2012, agents of the United States Internal

Revenue Service ("IRS") executed the Warrant against the J&A account and seized approximately

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$189,529.33 (the "Defendant Funds");

WHEREAS, on or about April 10, 2013, the United States filed a Verified Complaint in rem, and on or about April 15, 2013, the Honorable Joseph F. Bianco, United States District Judge, issued a warrant for the arrest of articles in rem, finding probable cause to believe that the Defendant Funds are subject to seizure and forfeiture to the United States pursuant to pursuant to 31 U.S.C. § 5317 as property involved in violations of 31 U.S.C. § 5324;

WHEREAS, legal notice was published on the official government website, www.forfeiture.gov, beginning on April 27, 2013 through and including May 26, 2013; and

WHEREAS, James Cassidy ("Cassidy") and Antonino N. Locascio ("Locascio") on behalf of J&A (the "Claimants") have stated an ownership interest in the Defendant Funds.

WHEREAS, with the exception of the Claimants, no other third party has filed with the Court any petition or claim in connection with the Forfeited Funds, and the time to do so has expired.

WHEREAS, pursuant to a Stipulation of Settlement entered into on September 5, 2014, (the "Stipulation"), J&A agreed to forfeit to the United States, pursuant to 31 U.S.C. § 5317, the sum of $160,000.00 of the Defendant Funds, (the "Forfeited Funds") and all interest accrued on the Defendant Funds since the date of seizure.   In addition, the United States agreed to return to the Claimants the sum of $29,529.33, less any debt owed to the United States, any agency of the United States, or any other debt which the United States is authorized to collect (the "Returned Funds")

UPON application of the Plaintiff United States of America,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

1. Pursuant to 31 U.S.C. § 5317, the Forfeited Funds are hereby forfeited and condemned to the use and benefit of the United States of America.

2. The IRS and all of its duly authorized agents and/or contractors are hereby authorized to dispose of the Forfeited Funds in accordance with all laws and regulations.

3. The Warrant previously executed shall be vacated.

4. The District Court shall retain jurisdiction of this action in order to enforce the Stipulation and Settlement.

5. The Clerk of this Court shall forward six (6) certified copies of this Decree of Forfeiture and Order to the United States Attorney for the Eastern District of New York, Attention: Assistant United States Attorney Diane Leonardo, 610 Federal Plaza, Central Islip, New York

Dated: Central Islip, New York
        October 7, 2014

s/ Joseph F. Bianco

HONORABLE JOSEPH F. BIANCO
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF NEW YORK